

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

LEONARD D. GAVIN)	
Claimant)	
VS.)	
)	Docket No. 216,075
THE BOEING COMPANY)	
Respondent)	
AND)	
)	
AETNA CASUALTY & SURETY)	
Insurance Carrier)	
AND)	
)	
KANSAS WORKERS COMPENSATION FUND)	

AWARD NUNC PRO TUNC

The Appeals Board hereby corrects the Award entered in this case on February 18, 1999, to read as follows:

AWARD

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Award entered on June 8, 1998, and the Nunc Pro Tunc entered on June 9, 1998, by Administrative Law Judge John D. Clark, should be, and hereby are, modified.

— SHOULDER INJURY —

WHEREFORE AN AWARD OF COMPENSATION IS HEREBY MADE IN ACCORDANCE WITH THE ABOVE FINDINGS IN FAVOR of the claimant, Leonard D. Gavin, and against the respondent, The Boeing Company, and its insurance carrier, Aetna Casualty & Surety, for an accidental injury which occurred July 11, 1990, and based upon an average weekly wage of \$642.61, for 70 weeks of temporary total disability compensation at the rate of \$278 per week or \$19,460, followed by 82.72 weeks at the rate of \$10.28 per week or \$850.36, for a 2.4% permanent partial disability, and then 262.28 weeks at \$239.92 per week, or \$62,926.22, for a 56% work disability, for a total award of \$83,236.58, all of which is presently due and owing, less amounts previously paid.

The Appeals Board also approves and adopts all other orders entered by the Award not inconsistent herewith.

— KNEE INJURY —

WHEREFORE AN AWARD OF COMPENSATION IS HEREBY MADE IN ACCORDANCE WITH THE ABOVE FINDINGS IN FAVOR of the claimant, Leonard D. Gavin, and against the respondent, The Boeing Company, and its insurance carrier, Aetna Casualty & Surety, for an accidental injury which occurred May 4, 1992, and based upon an average weekly wage of \$747.18, for 20 weeks of temporary total disability compensation at the rate of \$289 per week or \$5,780, followed by 9 weeks at the rate of \$289 per week, or \$2,601, for a 5% permanent partial scheduled injury to the right leg, making a total award of \$8,381, all of which is due and owing, less amounts previously paid.

The Appeals Board also approves and adopts all other orders entered by the Award not inconsistent herewith.

IT IS SO ORDERED.

Dated this ____ day of March 1999.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Kelly W. Johnston, Wichita, KS
Frederick L. Haag, Wichita, KS
Michael D. Streit, Wichita, KS
Christopher J. McCurdy, Wichita, KS
John D. Clark, Administrative Law Judge
Philip S. Harness, Director